

**MINUTES OF THE WEATHERFORD CITY COUNCIL WORK SESSION HELD
JANUARY 22, 2013 IN THE CITY HALL COUNCIL CHAMBERS, 303 PALO PINTO
STREET, WEATHERFORD, TEXAS.**

CALL TO ORDER & ANNOUNCEMENT OF A QUORUM

Mayor Hooks called the meeting to order at 5:45 p.m. Present were: Mayor Dennis Hooks, Mayor Pro Tem Craig Swancy, Heidi Wilder, Jeff Robinson, and Waymon Hamilton. City Staff included: City Manager Jerry Blaisdell, Assistant City Manager Sharon Hayes, City Attorney Ed Zellers, and City Secretary Malinda Nowell.

WORK SESSION ITEMS

Provide staff direction regarding the contract with the Weatherford Economic Development Corporation.

City Manager Jerry Blaisdell presented this item. The contract will be up for renewal in 2013. Mr. Blaisdell identified concerns that need to be addressed. The revision in 2009 leaves the City with a hybrid organization: the Weatherford Economic Development Authority (WEDA) is neither wholly independent, nor is it wholly a department of the City. The contract is not clear on lines of communication and responsibility. The Director answers to two heads. WEDA was previously organized as an independent Board in and of itself and was created as such to provide independence for our executive director and to provide confidentiality for prospective businesses. Neither of these provisions exist the way WEDA is organized today. All personnel of WEDA are under the direction of the Board and they are also employees of the City. Confidentiality of business prospects is an issue for practical reasons and the best legal advice the City has received thus far is that the way WEDA exists may not afford prospects that protection. The unclear lines of responsibility and communication are unfair to WEDA and to the City Manager's Office. Mr. Blaisdell asked the Council to strongly consider two options:

1. To return it to the way it was in 2009 before the revision, which may not rectify the disclosure issues as WEDA is still fully funded by the City, or
2. To make it a City department, do away with the contract and establish the current WEDA board as an advisory board of the City, like all our other boards.

The agreement is due for renewal this year. It is possible to bypass the 90-day notice of cancellation if both Council and WEDA agree to make the necessary changes. With a 90-day notice, the Council has the authority to discontinue our current agreement. If Council puts it back the way it was, it would remove the City employees, which will raise questions about benefits. For example, the Texas Municipal Retirement System does not recognize third party contracts.

Discussion included work arrangement; confidentiality; the fact that WEDA may have to dissolve the corporation before the Council appoints an advisory board; that economic development negotiations are exempted from the public information act; that more protection from disclosure is afforded to a corporation working with multijurisdictional entities; as a department of the City, WEDA would function like all other departments and benefits would continue for their staff; that economic development boards around the State function in both manners; that Council cannot call an executive session on the executive director; that pre-2009, WEDA held executive sessions to conduct director review; WEDA staff benefits; differences between the 2004 version and the 2009 version.

Mr. Blaisdell requested Council review the contract as he would be much more comfortable understanding his role and responsibility to the WEDA Board and to Dennis Clayton. Blaisdell brought this to the Council's attention at this time because the contract is due for another five year renewal this year. Mr. Clayton clarified that the City first entered into the contract in 2003, and renewed in 2008. If neither entity gives notice of ending the contract, then it would automatically renew for another five years.

Mr. Blaisdell reviewed the options again:

1. To return it to the way it was in 2009 before the revision, which may not rectify the disclosure issues as WEDA is still fully funded by the City, or
2. To make it a City department, do away with the contract and establish the current WEDA board as an advisory board of the City, like all our other boards.

Under option one, WEDA staff would no longer be eligible for benefits; however, WEDA could be funded at a level to allow them to obtain private insurance through another company. Currently, the Board has no authority to deal with a City employee. An area that needs clarification is whether WEDA has authority over the staff, or whether the City Manager does. If changes are made, it would not be retroactive and would simply clarify things going forward.

After further discussion, on the motion of Heidi Wilder, second by Mayor Pro Tem Craig Swancy, the Council voted unanimously to table this item until the second meeting in February. Motion carried 5 - 0.

Mr. Hamilton requested documents be handed out prior to meetings as opposed to at the meeting.

ADJOURNMENT

As there was no further business, on the motion of Waymon Hamilton, second by Mayor Pro Tem Craig Swancy, the Council voted unanimously to adjourn the Work Session at 6:40 p.m.

MINUTES OF THE WEATHERFORD CITY COUNCIL REGULAR SESSION HELD JANUARY 22, 2013 IN THE CITY HALL COUNCIL CHAMBERS, 303 PALO PINTO STREET, WEATHERFORD, TEXAS.

INVOCATION

Father John Casey of St. Stephen's Catholic Church gave the invocation.

CALL TO ORDER & ANNOUNCEMENT OF A QUORUM

Mayor Hooks called the meeting to order at 6:40 p.m. Present were: Mayor Dennis Hooks, Mayor Pro Tem Craig Swancy, Heidi Wilder, Jeff Robinson, and Waymon Hamilton. City Staff included: City Manager Jerry Blaisdell, Assistant City Manager Sharon Hayes, City Attorney Ed Zellers, and City Secretary Malinda Nowell.

PLEDGES OF ALLEGIANCE TO THE UNITED STATES & TEXAS FLAGS

Mayor Hooks led the pledges.

CONSIDER APPROVAL OF AGENDA

Ms. Wilder asked to remove item one from the Consent Agenda for separate consideration.

PRESENTATIONS & PROCLAMATIONS

Presentation of Certificate of Achievement for Excellence in Financial Reporting.

Janina Jewell, Chief Financial Officer, recognized Sidney Kirk, Cathy Coffman, and Dahlia Wells for their involvement in the City's financial reporting. This is the 17th consecutive year in which the City has received this award. The plaque will be displayed at City Hall.

APPROVAL OF THE MINUTES

Consider approval of the minutes of the City Council Work Session held January 3, 2013, and the City Council Regular and Executive Sessions held January 8, 2013.

Ms. Wilder requested that on page four of the January 8th minutes, under the item about Weatherford Little League, that we strike "unanimously" and replace the word "all" with "most." After discussion, on the motion of Heidi Wilder, second by Jeff Robinson, the Council approved the minutes with the requested changes. Motion carried 4 - 1. Mr. Hamilton voted in opposition.

CONSENT AGENDA ITEMS

On the motion of Heidi Wilder, second by Jeff Robinson, the Council voted to remove item one from the Consent Agenda and to approve the following consent items. Motion carried 5 - 0.

- Accepted the 2013 First Quarter Investment Report.
- Accepted the annual "Red Flag" Identity Theft Prevention Program report and revised policy as presented.

Discuss and consider approval of Ordinance 604-2013-53 amending City of Weatherford Code of Ordinances, Title I, Administrative.

This item was removed from the consent agenda. Section 1-8-2 titled Appointment and Residence of City Manager reads:

The city manager shall be appointed by a majority vote of the governing body. The City Council [may] require the city manager to reside inside the City of Weatherford after said appointment and giving the city manager sufficient time to relocate. [emphasis added]

Ms. Wilder requested that the word "may" be changed to "will." After discussion, on the motion of Heidi Wilder, second by Craig Swancy, the Council voted to approve the change in section 1-8-2 and adopt Ordinance 604-2013-53 amending Title I. Motion carried 3 - 2. Dennis Hooks and Jeff Robinson voted in opposition. The ordinance is captioned as follows:

ORDINANCE NO. 604-2013-53

AN ORDINANCE OF THE CITY OF WEATHERFORD, TEXAS, AMENDING ALL OF TITLE I "ADMINISTRATIVE CODE" OF THE CITY CODE OF WEATHERFORD; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC HEARINGS

Hold a PUBLIC HEARING and discuss and consider Ordinance 605-2013-54 for a Zoning Change for property currently zoned AG Agricultural to be rezoned C1 Commercial, for property located at 309 ZION HILL ROAD, City of Weatherford, Parker County, Texas.

Craig Farmer, Director of Planning and Development, presented this item. The tract is 1.25 acres and fronts on Ric Williamson Memorial Highway, north of Peaster Highway. The comprehensive plan shows the area to be medium density residential. Planning and Zoning Board recommended approval. No comments have been received.

Mayor Hooks opened the Public Hearing at 7:13 p.m. As there were no speakers, Mayor Hooks closed the Hearing at 7:13 p.m.

On the motion of Jeff Robinson, second by Waymon Hamilton, the Council voted unanimously to approve Ordinance 605-2013-54 approving a zoning change from AG to C1 at 309 Zion Hill Road. Motion carried 5 - 0. The ordinance is captioned as follows:

ORDINANCE 605-2013-54

AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARIES OF THE ZONING DISTRICT MAP OF THE CITY OF WEATHERFORD, TEXAS, CONCERNING CERTAIN PARCELS OR TRACTS OF LAND IDENTIFIED AS 1.25 ACRES SITUATED IN AND BEING A PORTION OF THE H.M. PARRISH SURVEY, A-1867, CITY OF WEATHERFORD, PARKER COUNTY, TEXAS LOCATED GENERALLY AT 309 ZION HILL ROAD HERETOFORE ZONED AG AGRICULTURAL SHALL HENCEFORTH BE ZONED TO C1 COMMERCIAL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING A SAVINGS CLAUSE.

Hold a PUBLIC HEARING and discuss and consider approval of Ordinance 606-2013-55 for a Zoning Change and a Conditional Use Permit for property currently zoned AG Agricultural to be rezoned C1 Commercial and C1 Commercial with a Conditional Use Permit, for property located at 202 NARRY LANE, south of BB Fielder, City of Weatherford, Parker County, Texas.

Craig Farmer, Director of Planning and Development, presented this item. Narry Lane is north of the Latter Day Saints Church. The parcel on the tax rolls shows 202 Narry Lane, but that was before BB Fielder Road was built. The request is for 7.5 acres to be rezoned to C1 as well as an additional 35 acres south to be rezoned C1 with a Conditional Use Permit. The following conditions are noted in the ordinance and shall apply to development within the 35 acre parcel:

The proposed warehouse/office/retail use includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:

1. Adequate ingress and egress to the property via new and existing public streets that will direct traffic to appropriately sized routes.
2. Off-street parking and loading areas oriented away from adjacent residential areas.
3. Screening and buffering for adjacent residential areas to minimize the impact of the development.
4. Lighting and signage oriented towards the adjacent streets and away from adjacent residential areas.
5. The bulk, density and arrangement of the structures shall be similar to that shown on the attached site plan, Exhibit 'C'.
6. Hours of operation will typically run from 5:00AM until 6:00PM Monday through Friday, but may include extended hours on an occasional basis.
7. Exterior construction materials and building design will include precast, tilt-up concrete wall construction, and façade elements and windows.

The applicant is to construct part of a collector road in accordance with our ordinance. The Planning and Zoning Board recommended approval. Staff received one comment in opposition from a resident on the north side of BB Fielder.

Mayor Hooks opened the Public Hearing at 7:21 p.m. As there were no speakers, Mayor Hooks closed the Hearing at 7:21 p.m.

On the motion of Heidi Wilder, second by Mayor Pro Tem Craig Swancy, the Council voted unanimously to adopt Ordinance 606-2013-55 approving a zoning change and a conditional use permit for 202 Narry Lane. Motion carried 5 - 0. The ordinance is captioned as follows:

ORDINANCE 606-2013-55

AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARIES OF THE ZONING DISTRICT MAP OF THE CITY OF WEATHERFORD, TEXAS, CONCERNING CERTAIN PARCELS OR TRACTS OF LAND IDENTIFIED AS 7.536 ACRES AND 34.798 ACRES SITUATED IN AND BEING A PORTION OF THE A.T. OBENCHAIN SURVEY, A-1033, CITY OF WEATHERFORD, PARKER COUNTY, TEXAS LOCATED GENERALLY AT 202 NARRY LANE HERETOFORE ZONED AG AGRICULTURAL SHALL HENCEFORTH BE ZONED TO C1 COMMERCIAL AND C1 COMMERCIAL WITH A CONDITIONAL USE PERMIT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING A SAVINGS CLAUSE.

REGULAR AGENDA ITEMS

Discuss and consider approval of Resolution R2013-02 authorizing the Weatherford Police Department to apply for grant funding offered through the Texas Department of Transportation.

Chief Mike Manning asked Council to approve a grant application for continuation of funding for a grant that the City has participated in for several years. These dollars are used for DWI holiday enforcement, and speed and seatbelt enforcement. On the motion of Mayor Pro Tem Craig Swancy, second by Waymon Hamilton, the Council voted unanimously to authorize the Police Department to apply for TxDOT grant funding. Motion carried 5 - 0.

Discuss and consider authorizing the city manager to execute a mutual aid agreement between and among the North Central Texas Participating Local Governments and/or Public Sub-Divisions for the purpose to be a party of the Public Works Emergency Response Team (PWERT).

Manny Palacios, Director of Transportation and Public Works, presented this item to the Council. Mr. Palacios noted that the North Central Texas Council of Governments (NCTCOG) created the PWERT to assist other cities around the metroplex. Public Works is recognized as an important part in cities' efforts following disasters. The initial response and short term recovery time is 36 hours. The agreement calls for communications using the National Incident Management System (NIMS). If requested, assistance is voluntary and the City may decline. No responding City will receive reimbursement during the first 36 hours. Should assistance be needed beyond the initial 36 hours, it would be necessary to develop an individual agreement between the cities. Responding cities are responsible for their personnel and supervision. Approximately 16 cities have committed to PWERT including North Richland Hills and Garland. The NCTCOG will provide tabletop exercises. On the motion of Craig Swancy, second by Mr. Hamilton, the Council voted unanimously to authorize the City Manager to enter into the agreement with the PWERT. Motion carried 5 - 0.

CITIZEN COMMENTS ON NON-AGENDA ITEMS

None

STAFF REPORTS

Monthly Management Report for December.

Chad Janicek, Director of Office of Management and Budget, presented this report. In addition to reporting the financials, Mr. Janicek reported on the Animal Shelter's transparency efforts and their use of Socrata, the open data analysis system approved by Council for this fiscal year. The system analyzes raw data that the shelter has been providing. Staff hopes to reduce demands for frequently asked questions by making the information readily accessible and easily filtered through Socrata on our Web site. The shelter uses a "dashboard" to track live release rates and can see in real-time the kennels that are full or available. The goal is to fully integrate Socrata with the shelter's software. While building this for the shelter, Mr. Janicek identified ways to use Socrata in other departments. No action was taken or required.

Update regarding Storm Water Utility.

Terry Hughes, Director of Capital Transportation Projects, presented this update. The first billing cycle will be in February and will go out on the 8th, the 19th, and the 27th. Direct mail notices have already been sent out; staff has received some response regarding the notices. The notice directs readers to the storm water FAQs on the City's Web site.

Mr. Hughes noted projects on Ricky Lane and in the Live Oak Lane/Hilltop area which will begin in the next few weeks. Another upcoming project is a study on the Holland Lake Creek Watershed. Mr. Hughes talked about flooding, erosion, and geomorphology. Mr. Hughes stated that we have issued Request For Proposal (RFPs) for firms to look at this area and to approach watershed study. Firms were asked to think outside the box and were advised that Weatherford does not want a concrete river. They will look at hydrology, hydraulics, what kind of water runs through, what types of detention might be needed, where we need to harden the banks, how to preserve the natural area as much as possible, and possibly augment with water features and trails. Mr. Hughes thanked the Council for undertaking the fee and the program.

FUTURE AGENDA ITEMS

None

MEDIA INQUIRIES

None

EXECUTIVE SESSION ITEMS

None on this agenda.

ADJOURNMENT

On the motion of Waymon Hamilton, second by Mayor Pro Tem Craig Swancy, the Council voted unanimously to adjourn the meeting at 7:55 p.m. Motion carried 5 - 0.

**MINUTES OF THE WEATHERFORD CITY COUNCIL EXECUTIVE SESSION HELD
JANUARY 22, 2013 IN THE CITY HALL COUNCIL CHAMBERS, 303 PALO PINTO
STREET, WEATHERFORD, TEXAS.**

CALL TO ORDER & ANNOUNCEMENT OF A QUORUM

Mayor Hooks called the meeting to order at 7:55 p.m. Present were: Mayor Dennis Hooks, Mayor Pro Tem Craig Swancy, Heidi Wilder, Jeff Robinson, and Waymon Hamilton. City Staff included: City Manager Jerry Blaisdell, Assistant City Manager Sharon Hayes, City Attorney Ed Zellers, and City Secretary Malinda Nowell.

ADDENDUM - EXECUTIVE SESSION AGENDA

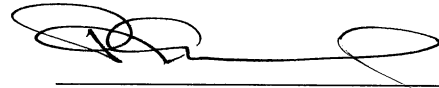
Pursuant to Chapter 551, Texas Government Code, VTCS, (Open Meetings Law) in accordance with the authority contained in: Section 551.074 ? to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

The Council convened into Executive Session at 7:55 p.m. The Mayor reconvened the Council in Open Session at 9:34 p.m. stating no action taken on this item.

ADJOURNMENT

On the motion of Heidi Wilder, second by Mayor Pro Tem Craig Swancy, the Council voted unanimously to adjourn the Executive Session at 9:34 p.m. Motion carried 5 - 0.

ATTEST:


Dennis Hooks, Mayor


Malinda Nowell, TRMC, City Secretary